

REMARKS

Examiner notes that the status identifier of claim 1 contains a spelling error. The status identifier for claim 1 in Applicant's last response was "PREVIOUSLY PRESENTED", which is spelled correctly. The status identifier for claim 1 is now "Currently Amended" to conform with the current Response/Amendment.

Claim Objections

Claim 1 is objected to based on the allegation that the limitation "having a User initiate contact with **a Service Provider**" in line 6 of the claim has no antecedent basis (emphasis added by Examiner). Applicant points Examiner to LL 3-4 of claim 1 which previously included the antecedent basis for "a Service Provider" and has now be amended to read "with one or more Service Providers". Withdrawal of this objection is respectfully requested.

Additionally, Applicant has also amended each method step to clarify their performance by the machine/computer. Withdrawal of this objection is respectfully requested.

With respect to claims 2-14 and 16-20, Applicant relies on the amendments to the independent claims from which they depend to resolve the deficiency. Withdrawal of this objection is respectfully requested.

Rejections Under 35 USC 101

Applicant has amended independent claims 1 and 15 to read "A computer implemented method..." to clarify that the present invention is a method performed by and tied to a particular machine, that being a computer as required under *Bilski*. This amendment and clarification neither changes the substances or scope of the claim limitations. Withdrawal of this rejection is respectfully requested.

Rejections Under 35 USC 103

A prima facie case of obviousness is established when an examiner provides:

1. one or more references
2. that were available to the inventor and
3. that teach
4. a suggestion to combine or modify the references,
5. the combination or modification of which would appear to be sufficient to have made the claimed invention obvious to one of ordinary skill in the art.

Accordingly, an applicant who is able to prove that the Examiner has failed to establish any one of these elements will prevent the prima facie case of obviousness from being established.

Claims 1, 6, and 9-13 stand rejected under 35 USC 103(a) as being unpatentable over Faber et al. (US 7,308,422) also referred to as Faber 1 in view of Lurie (US2003/0115089), also referred to as Lurie 1.

With respect to claim 1, Applicant disagrees that Faber 1 teaches an Agent and Service Providers as claimed by the present invention. Examiner has quoted the proper section of Applicant's application (Para. 14) but has failed to understand how the present invention and Faber differ. Examiner cites Faber col. 4, ll 31-67, col 5, ll 1-22, and col. 8, ll 27-57 as teaching the limitation of the present invention where "Agents integrate their selected plurality of Service Providers into their own specialized websites for browsing by a User". The present invention is focused on the "Agent" grouping and associating selected Service Providers to in a sense, create their "team". It is then the Agent who provides the services to the end user, using the Service Providers. There is no direct link in the present invention between Service Providers and end users as there is a middle party, the Agent, negotiating between the parties. Faber, at col. 4, ll 31-67, col 5, ll 1-22, and col. 8, ll 27-57, teaches searching and group of various service providers (col. 8, ll 27-57) and the setting up of a service providers website for viewing by a

customer/ end user (col. 4, ll 31-67, col 5, ll 1-22), but does not disclose, teach, or suggest, the Agent feature of the present invention.

Additionally, Examiner asserts that col. 8, ll 27-57 and col. 9, ll 1-8 teaches a User contacting a Service Provider via an Agent's specialized website. Again, col. 8, ll 27-57 includes no teaching and col. 9, ll 1-8 as show below also includes no such teaching and is irrelevant.

“In one embodiment, the list of service providers includes a description of each information service provided by the service provider. The customer can select to receive the information described, e.g., by clicking on the description or on a link included with the description. If the customer selects to receive a recorded information product, a logic unit within the controller computer 300 will respond by establishing via the communications interface 700 a communications connection with the customer. The communications connection may be established over a telephone network, a computer network, satellite network, wireless communications network, direct TV network, or other type of communications network, and may include an audio connection, video connection, or other type of data connection.” (col. 9, ll 1-8)

With respect to claim 1, Applicant disagrees that Laurie 1 teaches the a method for expert service providers to provide advice services through unique empowered independent agents to consumers comprising the steps of a User initiating contact with a Service Provider and connecting said User with said Service Provider if available. Applicant disagrees that Laurie 1 teaches enabling Agents to integrate their selected plurality of Service providers into their own specialized websites for browsing by a User and having a User initiate contact with a Service Provider via an Agent's specialized website. For these two limitations, those two paragraphs are merely a listing of memory components from paragraph 68, with 71 noting “web browser procedures 134 for accessing online applications, such as service provider computer 300” and 80 “as well as other procedures and files”, which neither teaches not suggests the use of Agents or the other specifics of the claim limitations. The citation provided by Examiner does not teach nor suggest an “Agent” providing a plurality of Service Providers to a User for selection. Lurie 1

merely teaches a User searching a database of Service Providers, while the present invention creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers for a User to browse.

5 The use of an Agent provides a much greater expression of differentiation for Service Providers and more focused, comprehensible listings for consumers/users to browse. Applicant has amended claim 1 to more specifically and accurately claim the method of the present invention. Withdrawal of this rejection is respectfully requested. Withdrawal of this rejection is respectfully requested.

10 With respect to Claims 6, and 9-13 Applicant relies on the arguments presented for claim 1 above, from which claims 6, and 9-13 depend. Withdrawal of this rejection is respectfully requested.

Claims 2-5 stand rejected under 35 USC 103(a) as being unpatentable over Faber et al. (US 7,308,422) also referred to as Faber 1 in view of Lurie (US2003/0115089), also
15 **referred to as Lurie 1 and further in view of Faber, et al. (US 6,865,540), also referred to as Faber 2.**

With respect to Claims 2-5, and 9-13 Applicant relies on the arguments presented for claim 1 above, from which Claims 2, 5, and 9-13 depend. Withdrawal of this rejection is respectfully requested.

20 **Claim 7 stands rejected under 35 USC 103(a) as being unpatentable over Faber et al. (US 7,308,422) also referred to as Faber 1 in view of Lurie (US2003/0115089), also referred to as Lurie 1 and further in view of Faber, et al. (US 7,289,623), also referred to as Lurie 2.**

With respect to Claim 7 Applicant relies on the arguments presented for claim 1 above, from which Claim 7 depends. Withdrawal of this rejection is respectfully requested.

Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Faber et al. (US 7,308,422) also referred to as Faber 1 in view of Lurie (US2003/0115089), also referred to as Lurie 1 and further in view of Faber, et al. (US 2004/0252820), also referred to as Faber 3.

With respect to Claim 8 Applicant relies on the arguments presented for claim 1 above, from which Claim 8 depends. Withdrawal of this rejection is respectfully requested.

Claim 14 stands rejected under 35 USC 103(a) as being unpatentable over Faber 1 in view of Lurie 1 and further in view of Rigole (US 7,139,728).

With respect to claim 14, Applicant disagrees that Laurie 1 teaches distributing the appropriate service HTML code to the Agent for each newly registered Service Provider. Examiner cites paragraphs 91-92 which wherein a service provider is provided with a compose e-mail option, a block option, and assign to list option. In order to use the provided options of Laurie 1, a service provider will select checkboxes, indicated at col. 522, by for example, mouse clicking on the various checkboxes corresponding to desired service seekers. Once selected, the service provider can click on an option. Once the option is selected by the service provider, the customer management procedures process the selected service providers according to the selected option. When a service provider selects the compose e-mail option, the customer e-mail procedures are performed.

The alternative embodiment of paragraph 92 provides the service provider with an electronic mail generation screen in order for the service provider to enter desired information within the electronic mail. Once entered, the electronic mail will be sent to the selected service

seekers. The electronic mail option may be utilized by service providers in order to provide incentives to the selected service seekers in order to entice the service seekers to engage the service providers' assistance in the form of an advice communication. When a service seeker responds to a communication incentive, the customer incentive procedures will compensate the service seeker once the advice communication is complete.

In the present invention, the system automatically distributes the appropriate service HTML code to the Agent for each newly registered Service Provider thereby; enabling the Agent to readily create their own Internet-based collection of specialized Service Providers and in turn, connect Users with these Service Providers for expert advice in real time via a telephone connection (See Paragraph 73 and Fig. 9 of the present application). As previous discussed in Applicants response to the rejection of claim 1, Laurie 1 does not teach an Agent level or layer in its system so it is impossible for the citation to teach or suggest the distribution of any HTML code to another party for use as claimed by the present invention. Withdrawal of this rejection is respectfully requested.

Claims 15-17, and 19 stand rejected under 35 USC 103(a) as being unpatentable over Faber 1 in further view of Rigole and in further view of Lurie 1.

With respect to claim 15, Examiner is failing to consider the claim limitations in their entirety. Applicant disagrees that Faber 1 teaches an Agent and Service Providers as claimed by the present invention. Examiner cites Faber col. 4, ll 10-51, col 5, ll 1-22, and col. 8, ll 27-57 as teaching the limitation of the present invention where "Agents integrate their selected plurality of Service Providers into their own specialized websites for browsing by a User". The present invention is focused on the "Agent" grouping and associating selected Service Providers to in a sense, create their "team". It is then the Agent who provides the services to the end user, using

the Service Providers. There is no direct link in the present invention between Service Providers and end users as there is a middle party, the Agent, negotiating between the parties. Faber, at col. 4, ll 31-67, col 5, ll 1-22, and col. 8, ll 27-57, teaches searching and group of various service providers (col. 8, ll 27-57) and the setting up of a service providers website for viewing by a customer/ end user (col. 4, ll 31-67, col 5, ll 1-22), but does not disclose, teach, or suggest, the Agent feature of the present invention.

Additionally, Examiner asserts that col. 8, ll 27-57 and col. 9, ll 1-8 teaches a User contacting a Service Provider via an Agent's specialized website. Again, col. 8, ll 27-57 includes no teaching and col. 9, ll 1-8 as show above and previously discussed includes no such teaching and is irrelevant

With respect to claim 1, Applicant disagrees that Laurie 1 teaches the a method for expert service providers to provide advice services through unique empowered independent agents to consumers comprising the steps of a User initiating contact with a Service Provider and connecting said User with said Service Provider if available. Applicant disagrees that Laurie 1 teaches enabling Agents to integrate their selected plurality of Service providers into their own specialized websites for browsing by a User and having a User initiate contact with a Service Provider via an Agent's specialized website. For these two limitations, those two paragraphs are merely a listing of memory components from paragraph 68, with 71 noting "web browser procedures 134 for accessing online applications, such as service provider computer 300" and 80 "as well as other procedures and files", which neither teaches not suggests the use of Agents or the other specifics of the claim limitations. The citation provided by Examiner does not teach nor suggest an "Agent" providing a plurality of Service Providers to a User for selection. Lurie 1 merely teaches a User searching a database of Service Providers, while the present invention

creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers for a User to browse.

The use of an Agent provides a much greater expression of differentiation for Service Providers and more focused, comprehensible listings for consumers/users to browse. Applicant has amended claim 15 to more specifically and accurately claim the method of the present invention. Withdrawal of this rejection is respectfully requested. Withdrawal of this rejection is respectfully requested. For the above stated reasons with respect to claim 15, withdrawal of this rejection is respectfully requested.

With respect to claims 16 and 17, Applicant relies on the arguments presented for claim 15 above, from which Claims 16 and 17 depend. Withdrawal of these rejections is respectfully requested.

With respect to claim 19, as previously discussed, neither Lauri, Faber, or Rigole teach or suggest an “Agent” providing a plurality of Service Providers to a User for selection. Lurie merely teaches a User searching a database of Service Providers, while the present invention creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers for a User to browse. The citations provided by Examiner do not teach nor suggest displaying, within a pop-up window or anywhere, a full list of an *Agent’s* Service Provider’s and their individual availability statuses.

Lurie and Faber merely teach a User searching a database of Service Providers, while the present invention creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers

for a User to browse. The Agent is then paid a fee in addition to the fee collected by the service. Thus, when an Agent is a requirement, the payment to the agent may be “a managed payout consisting of, deducting a pre-determined Agent service fee for each transaction and distributing the Agent to fee said Agents.” Additionally, the Agent may take on self-managed payroll
5 responsibility.

In Laurie 1 and Faber, there is no agent, only the User and Service Provider, thus there would be no need and is no teaching or suggestion for a self-managed payroll responsibility, either by the system, User, or Service Provider and certainly no “pre-determined Agent service fee for each transaction” for the Agent actively brining the two parties (User and Service
10 Provider) together.

Finally, while Lund teaches a system for calling services, the system taught by Lund is direct toward a method and system for providing computer-network related information about a calling party. In Lund, the system taught is for an enhanced caller ID system that is used during sales calls by a phone bank making unsolicited sales calls to potential buyers. In the present
15 invention as well as Lurie and Faber, both parties, the user and service provider both have a desire to be connected and the service provider does not need information retrieved based on the caller's id, the user would have the information provide to them ahead of time or directly by the user in a confidential manner to have their questions answered or receive the advices they are seeking. Examiner's state that “one of obvious of ordinary skill in the art would have been
20 motivated to combine all the teachings of Faber 1/Rigole/Lurie 1/Lund to generate more capital for service providers” is unsustainable. The service providers have a specialty area and are offering their knowledge and information or advice in that area to user who are seeking it, they are not looking to sell a user additional services to make the system more money and would be

un-interested in such additional information. There is no motivation to combine the teaching of Lund with that of the others. Withdrawal of this rejection is respectfully requested.

Claim 18 stands rejected under 35 USC 103(a) as being unpatentable over Faber 1 in further view of Rigole and in further view of Lurie 1 and further in view of Lund (US 7403947).

With respect to claim 18, as previously discussed, neither citation teaches or suggests an “Agent” providing a plurality of Service Providers to a User for selection. Lurie merely teaches a User searching a database of Service Providers, while the present invention creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers for a User to browse. The citation provided by Examiner does not teach nor suggest allowing for said Users to remain in effect *on the website of the Agent* while navigating and using the system for connecting telephonically to Service Providers, by way of a series of progressive popup windows. Lurie and Mok merely teach a User searching a database of Service Providers, while the present invention creates an “Agent” who can select an number of Service Providers and create a custom website where they may group or organize a more specific selection of service providers for a User to browse. Mok also does not teach an Agent or an Agent with a Website, but only the website of the system, thus there is no teaching or suggestion allowing for said Users to remain in effect *on the website of the Agent* while navigating and using the system for connecting telephonically to Service Providers, but only a teaching of Users remaining connected to Service Providers while navigation and using a system. Withdrawal of this rejection is respectfully requested.

Claim 20 stands rejected under 35 USC 103(a) as being unpatentable over Faber 1 in further view of Rigole and in further view of Lurie 1 and further in view of Boubez, et al. (US 2002/0087340).

With respect to claim 20, again neither Faber 1, Rigole, or Lurie 1 teach an Agent or any
5 means for grouping Service Providers other than by topic in a Service Provider database.

Examiner alleges that Boubez, in a similar field, discloses a method for categorizing service including the step of enabling a Service Provider to register and be part of numerous different agent groups, citing paragraphs 38, 66-68, and 73.

Boubez is directed a vendor neutral architectural mechanism for classifying e-business
10 services such that an e-business service consumer can locate and contact a provider of a desired e-business service and teaches an apparatus and method for classifying services in such a manner as to make them searchable and usable at run-time (Para. 6). It is neither taught no suggested in Boubez that it could be used or adapted to a calling system. Boubez teaches nothing more than an electronic phone book that allows for the automatic classification of service providers. The
15 present invention and other may or may not allow for the classification of knowledge or service provided by the service providers. The would make it easier for Agents to create groups, but is the Agent creating groups to offer bundled services that are a novel and non-obvious limitation of the present invention. Simply allowing service providers to sign up and classify them as well as Agents to create sub classes or categories of service providers is not the claimed limitation of
20 claim 20.

Claim 20 states “enabling a Service Provider to register and be part of numerous different Agent groups, without concern for any potential telephone connection conflict” which does not allow for a single or multiple classification of a service provider in the system, but allows them

to “work” for multiple Agents in the system and provide services on behalf of multiple agents without any potential telephone connection conflict, which would occur under the other systems cited by the Examiner.

5 The present invention provides the method and techniques for expert Service Providers, in turn, to provide their service through a multiplicity of Independent Agent channels without potential communication device conflict for consumers. In general, the system provides a more efficient, practical, and functional method to enable Users to contact Service Providers for expert advice and Service Providers to promote and offer their services to and transact their services with consumers than the current art.


10 Thus, there is no teaching or suggestion for enabling a Service Provider to register and be part of numerous different Agent groups, without concern for any potential telephone connection conflict, the second claim limitation of claim 20. Thus the two systems do not work in any manner that is reflective of the other with the purposes or use for collecting and using the requested information. Withdrawal of this rejection is respectfully requested. Withdrawal of this
15 rejection is respectfully requested.

CONCLUSION

20 For all the reasons advanced above, Applicant respectfully submits that the application is in condition for allowance and that action is earnestly solicited.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely.

Respectfully submitted,


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